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WRITER'S DIRECT DIAL

January 13, 2015

VIA ECF

The Honorable William F. Kuntz, II, USDJ
United States Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: USWU Local 74 Welfare Fund v. Neighborhood Health Services Corp. et al.
13 CV 5491 (WFK) (RML)

Dear Judge Kuntz:

This firm represents plaintiff U.S.W.U. Local 74 Welfare Fund (hereinafter "Welfare Fund") in connection with the above-referenced matter.

We write to advise the Court that defendant Neighborhood Health Services Corporation ("NHSC") filed a Chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of New Jersey on January 7, 2015 (Case 15-bk-10277-VFP). We contacted NHSC's bankruptcy counsel (Donald F. Campbell, Jr., of Giordano, Halleran & Ciesla, PC) and counsel in the current litigation (Montell Figgins of the Law Offices of Montell Figgins) requesting that they notify the Court of NHSC's filing and the automatic stay of all proceedings that accompanies such a bankruptcy filing. NHSC's bankruptcy counsel advised us to notify the Court that "the automatic stay is in effect."

In view of the automatic stay provisions that we are advised are currently in effect, counsel for the Welfare Fund does not intend to appear at tomorrow's pre-motion conference scheduled for 2 p.m., unless specifically directed to do so by this Court.

We thank the Court for its consideration of this submission.

Respectfully,
O'DWYER & BERNSTIEN, LLP


ZACHARY HARKIN

cc: Montell Figgins, Esq. (via ECF)
Donald F. Campbell, Esq. (via electronic mail)